



August 12, 1999

Lieutenant Arturo Valdez  
Center Record Division  
City of McAllen Police Department  
1501 Pecan Boulevard  
McAllen, Texas 78501

OR99-2292

Dear Lieutenant Valdez:

You have asked whether certain information is subject to required public disclosure under the Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 128094.

The City of McAllen (the "city") received a request for a copy of a police report. You assert that the records at issue are confidential under section 261.201 of the Family Code. Subsection (a) of section 261.201 of the Family Code provides:

(a) The following information is confidential, is not subject to public release under Chapter 552, Government Code, and may be disclosed only for purposes consistent with . . . [the Family] code and applicable federal or state law or under rules adopted by an investigating agency:

(1) a report of alleged or suspected abuse or neglect made under . . . chapter [261 of the Family Code] and the identity of the person making the report; and

(2) except as otherwise provided in this section, the files, reports, records, communications, audiotapes, videotapes, and working papers used or developed in an investigation under . . . chapter [261 of the Family Code] or in providing services as a result of an investigation.

We have reviewed the records submitted to this office as responsive to the request and conclude that, based upon the information provided this office, section 261.201 is inapplicable. We note, however, that the driver's license number in the report is protected from disclosure under section 552.130 of the Government Code.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ruth H. Soucy', with a stylized flourish at the end.

Ruth H. Soucy  
Assistant Attorney General  
Open Records Division

RHS/ch

Ref: ID# 128094

Encl. Submitted documents

cc: Mr. Mario Perez  
218 Moorefield Road  
Mission, Texas 78572  
(w/o enclosures)